

# The Rutland Herald.

"LIBERTY AND UNION, NOW AND FOREVER ONE AND INSEPARABLE."—JEFFERSON.

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## The Rutland Herald.

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### POETRY.

#### THE BRIDE'S FAREWELL.

Why do I weep?—I leave the vine  
Whose clusters o'er me bend,  
The myrtle—yet O call it mine!  
The flowers I love to tend  
A thousand thoughts of all things dear,  
Like shadows o'er me sweep,  
I leave my sunny childhood here,  
Oh, therefore let me weep!  
I leave thee, Sister! we have played  
Through many a joyous hour,  
When the silvery green of the olive shade  
Hung dimly o'er our bowers;  
Yes, thou and I by stream and shore,  
In song, in prayer, in sleep,  
Have been, as we may be no more,  
Sweet sister, let me weep!  
I leave thee, Father!—Ere's bright moon  
Must now light other feet,  
With the gathering grapes and lyre in tune  
Thy homeward steps to greet!  
Thou in whose voice to bless thy child  
Lay tones of love so deep;  
Whose eyes o'er all my youth have smiled,  
I leave thee—let me weep!  
Mother, I leave thee! on thy breast  
Pouring out joy and woe,  
I've found that holy place of rest,  
Still changeless, yet I go!  
Lips that lull'd me with your strain,  
Eyes that have watched my sleep!  
Will earth give love like yours again?  
Kind Mother, let me weep.

### Miscellany.

#### TEST OF GOOD SOCIETY.

We find the following very sapient paragraph in the Boston Centinel.

"The body of an unknown man was found on point Judith a few days since. He was well dressed; was evidently accustomed to good society; if attire can be considered evidence of respectability."

How men differ about tests of respectability and also about respectability itself!—Many think that a fine dress is the best test, and think so because their minds are too uncultivated to comprehend any other. Follow this guide, they are in daily danger of running foul of black-legs, under the supposition of their being gentlemen.

An innkeeper in Baltimore once refused accommodation to Mr. Jefferson, then Vice President of the United States, because his very plain dress bespoke a very plain farmer, and then let the accommodations to a horse jockey and gambler who was smartly attired. The poor fellow was terribly mortified on discovering his mistake. Now Mr. Jefferson was one of the best bred men in the world, had associated, and was then in correspondence, with the most distinguished literary and scientific men in Europe.—So that if such men constitute "good society" he was accustomed to it. No real gentleman, in any condition of life, would have taken Mr. Jefferson for any thing but a gentleman, or the well dressed fellow whom the landlord preferred, for any thing but a blackguard. But the poor landlord knew no better, and if we may judge from this, sapient remark of the Centinel, neither does the editor of that paper.

When we meet a man very particularly and studiously well dressed, very carefully in the fashion more especially if the fashion be ridiculous, as for instance, that of wearing moustaches, or boots with heels like stilts, if we set him down as a gambler, pick-pocket, or some such thing, an ignorance in education, a ruffian in manners, a brute in conversation and a profligate in principles, we should not make many mistakes. If real gentlemen in any occupation, can afford to dress well they are distinguished from counterfeits by the modesty and decency of their attire.—Public Ledger.

#### UNCLE SAM.

We like Uncle Sam from the very bottom of our hearts. We like his round, red, amputated face, with those small peering grey eyes—always on the alert for the newest joke and the best bargain. We like the familiar twaddle of his fat, porous figure—duck legged though he be, and not quite so quick at a foot race, or so good in the wind, as when he fogged John Bull in '76, at New Orleans, and so on, and the Indians at a later day. He is not so light on the heel, or so ready with his rifle, as he was in days of yore; and because why? He was then lank and lean, got his living by the sweat of his brow, and fogged his enemies with his own hands. But he has since grown rich drinks wine and eats apple dumplings, and instead of fighting himself, gets it done by proxy. Indeed, your rich folks and your fat folks were never known to be worth much at fighting—they may do very well in talking, at bullying and scolding—but for a real scrimmage, recommend us to learn, lank, cadaverous looking fellows, who have neither purse nor corporation to be endangered—and there can be some dependence placed on him. He has nothing to lose by fighting, and nothing to save by running away.

But although Uncle Sam is not what he was at fighting, seeing that his wind fails him in a long contest, and that his providence forbids his getting himself into tight places where he could only get out by hard running—an exercise of which he is not at all fond of late—or straying far from his provision stores, which the amputated of his corporation forbids—yet notwithstanding all this, Uncle Sam is a hearty old cock, carries a full purse, and nothing troubles him so much as the great question of how he shall get rid of his money. He don't care a pin whether he spends it in the improvement of his estate, in traps or fiddle sticks, or whether he is coaxed, flattered, or cheated out of it by his friends. Indeed, it has often appeared to us, that he took an especial pleasure in being cheated. And that for this purpose he always con-

gregated around him a set of the sturdiest rogues in the nation, for no other motive than that they might rob him with the least possible trouble. But Uncle Sam has more money than he knows what to do with, and the more he is robbed, the more he is helped out of his perplexities.—*Philadelphia Gazette.*

### ANOTHER YEAR.

As we enter upon another year, we must remember that it is through the bounty of an all-wise and merciful Creator. We must not presume too much on its pleasures and enjoyments but must look back on the trials and the troubles of the past as an imperfect smile of the future. The trials, the troubles and the pleasures of the present time we know; but as for the future, who can tell? None but him whose hand can guide the irregular comet in its course, and keeps the innumerable worlds turning in their orbits. Time is as a shadow which eludes our grasp, and flies, never to return. Man is but a transitory being. He begins his career—in a word, where is he?—Forgotten! His memory is cast into oblivion; perhaps a few noble acts survive him. If so, it is but for a few short years, and all is engrossed in other concerns. If forgotten by his fellow beings, man is not by his Maker, though one day he is numbered with the living, and the next with the dead. The all-seeing eye of God marks the order of all things, in all his numberless worlds. What thus convinced of the omniscience of our Maker, we might write volumes upon volumes, and it would amount to no more than is expressed in one simple passage of scripture. "For verily I say unto you even the very hairs of your head are all numbered."—*Literary Emigrant.*

### Political.

#### SPEECH OF MR. WEBSTER, OF MASSACHUSETTS,—ON THE SPECIE CIRCULAR. IN SENATE—Wednesday, Dec. 21, 1836.

The Senate having again proceeded to the order of the day, which was the consideration of the following resolutions, heretofore moved by Mr. Ewing of Ohio.

*Resolved by the Senate and House of Representatives, &c. That the Treasury Order of the 11th day of July, Anno Domini one thousand eight hundred and thirty-six, designating the funds which should be receivable in payment for public lands, be, and the same is hereby, rescinded.*

*Resolved, also, That it shall not be lawful for the Secretary of the Treasury to delegate to any person, or to any corporation, the power of directing what funds shall be receivable for customs, or for the public lands; nor shall he make any discrimination in the funds so receivable, between different branches of the public revenue.*

Mr. WEBSTER arose and addressed the Senate as follows:—

Mr. President—The power of disposing of this important subject is in the hands of gentlemen, both here and elsewhere, who are not likely to be influenced by any opinion of mine. I have no motive, therefore, for addressing the Senate, but to discharge a public duty, and to fulfil the expectations of those who look to me for opposition, whether availing or unavailing, to whatever I believe to be illegal or injurious to the public interests. In both these respects, the Treasury order of the 11th of July, appears to be objectionable. I think it not warranted by law, and I think it also practically prejudicial. I think it has contributed not a little to the pecuniary difficulties under which the whole country has been, and still is, laboring; and that its direct effect on one particular part of the country is still more decidedly and severely unfavorable.

The Treasury order, or Treasury circular, of the 11th of July last, is addressed by the Secretary to the receivers of public money, and the deposit banks, after the 15th day of August, then next, to receive in payment of the public lands nothing except what is directed by existing laws, viz: gold and silver, and, in the proper cases, Virginia land scrip; provided, that till the 15th of December then next, the same indulgence heretofore extended, as to the kind of money received, may be continued, for any quantity of land not exceeding 320 acres, to each purchaser who is an actual settler or bona fide resident in the State where the sales are made.

The exception in favor of Virginia scrip is founded on a particular act of Congress, and makes no part of the general question. It is not necessary, therefore, to refer further to that exception. The substance of the general instruction is, that nothing but gold and silver shall be received in payment for public lands; provided, however, that actual settlers and bona fide residents in the States where the sales are made may purchase in quantities not exceeding 320 acres each, and be allowed to pay as heretofore. But this provision was limited to the 15th day of December, which has now passed; so that by virtue of this order, gold and silver are now required of all purchasers, and for all quantities.

I am very glad that a resolution to rescind this order has been thus early introduced; and I am glad, too, since the resolution is to be opposed, that opposition comes early in a bold, unequivocal, and decided form. The order, it seems, is to be defended as being both legal and useful. Let its defence, then, be made.

The honorable member from Missouri (Mr. Benton) objects even to giving the resolution to rescind, a second reading. He avails himself of his right, though it be not according to general practice, to arrest the progress of the measure at its first stage. This, at least, is open, bold and manly warfare.

The honorable member, in his elaborate speech, founds his opposition to this resolution, and his support of the Treasury order, on those general principles respecting currency, which he is known to entertain, and which he has maintained for many years. His opinions some of us regard as altogether ultra and impracticable; looking to a state of things not desirable in itself, even if it were practicable, and, if it were desirable, as being far beyond the power of this Government to bring about. The honorable member has manifested much

perseverance, and abundant labor, most undoubtedly, in support of his opinions; he is understood, also, to have had countenance from high places; and what new hopes of success the present moment holds out to him, I am not able to judge, but we shall probably soon see. It is precisely on these general and long known opinions that he rests his support of the Treasury order. A question therefore, is at once raised between the gentleman's principles and opinions, on the subject of the currency and the principles and opinions which have generally prevailed in the country, and which are and have been entirely opposite to his. That question is now about to be put to the vote of the Senate. In the progress, and by the termination of this discussion, we shall learn whether the gentleman's sentiments are, or are not, to prevail, so far, at least, as the Senate is concerned.—The country will rejoice, I am sure, to see some declaration of the opinions of Congress on the subject about which so much has been said, and which is so well calculated, by its perpetual agitation, to disquiet and disturb the confidence of society.

We are now fast approaching the day when one administration goes out of office, and another is to come in. The country has an interest in learning as soon as possible whether the new administration, while it receives the power and patronage, is to inherit, also, the topics, and the projects, of the past; whether it is to keep up the avowed of the same objects and the same schemes, especially in regard to the currency. The order of the Secretary is prospective, and, on the face of it, perpetual. Nothing in or about it gives it the least appearance of a temporary measure. On the contrary its terms imply no limitation in point of duration, and the gradual manner in which it is to come into operation shows plainly an intention of making it the settled and permanent policy of Government. Indeed, it is but now beginning its complete existence. It is only five or six days since its full operation has commenced. Is it to stand, as the law of the land and the rule of the Treasury, under the administration which is to ensue? And are those notions of an exclusive specie currency, and opposition to all banks, on which it is defended, to be exposed and maintained by the new administration, as they have been by its predecessor? These are questions, not of mere curiosity, but of the highest interest to the whole country.

In considering this order, the first thing naturally is to look for the causes which led to it, or are assigned for its promulgation. And there, on the face of the order itself, are declared to be "complaints which have been made of frauds, speculations, and monopolies in the purchase of the public lands, and the aid which is said to be given to effect these objects by excessive bank credits, and dangerous, if not partial, facilities through bank drafts and bank deposits, and the general evil influence likely to result to the public interest, and especially the safety of the great amount of money in the Treasury, and the sound condition of the currency of the country, from the further exchange of the national domain in this manner, and chiefly for bank credits and paper money."

This is the catalogue of evils to be cured by this order. In what other words could what are the monopolies complained of, or what is precisely intended by these injurious speculations, we are not informed. All is left on the general surmise of fraud, speculation, and monopoly. It is not avowed, or intimated, that the Government has sustained any loss, either by the receipt of bank notes, which proved not to be equivalent to specie, or in any other way. And it is not a little remarkable, that these evils of fraud, speculation and monopoly, should have become so enormous, and so notorious, on the 11th of July, as to require this Executive interference for their suppression, and yet that they should not have reached such a height as to make it proper to lay the subject before Congress, although Congress remained in session until within seven days of the date of the order. And what makes this circumstance still more remarkable, is the fact that in his annual message at the commencement of the same session, the President had spoken of the rapid sales of the public lands as one of the most gratifying proofs of the general prosperity of the country, without suggesting that any danger whatever was to be apprehended from fraud, speculation, or monopoly. His words were:—"Among the evidences of the increasing prosperity of the country, not the least gratifying is that afforded by the receipts for the sales of the public lands, which amount, in the present year, to the unexpected sum of \$11,000,000." From the time of the delivery of that message down to the date of the Treasury order, there had not been the least change, so far as I know, or so far as we are informed, in the manner of receiving payment for the public lands. Every thing stood on the 11th of July, 1836, as it had stood at the opening of the session, in December, 1835. How so different a view of things happened to be taken at the two periods, we may be able to learn, perhaps, in the further progress of this debate.

The order speaks of the "evil influence" likely to result from the further exchange of the public lands into "paper money." Now, this is the very language of the gentleman from Missouri. He habitually speaks of the notes of all banks, however solvent and however promptly their notes may be redeemed in gold and silver, as "paper money." The Secretary has adopted the honorable member's phrase, and he speaks, too, of all the bank notes received at the land offices, although every one of them is redeemable in specie, on demand, but as so much "paper money."

In this respect, also, sir, I hope we may know more as we grow older, and be able to learn whether, in times to come, as in times recently passed, the justly obnoxious and odious character of "paper money" is to be applied to the issues of all the banks in all the States, with whatever punctuality they redeem their bills. This is quite new, as a national language. By paper money, in its obnoxious sense, I understand paper, issued on credit alone, without capital, without funds assigned for its payment, resting only on the good faith and the future ability of those who issue it. Such was the paper money of our revolutionary times; and such, perhaps, may have been the true character of the paper of particular institutions since. But the notes of banks of competent capitals, limited in amount to a due proportion to such capitals, made payable on demand in gold and silver, and always

so paid on demand, are paper money in no sense but one; that is to say, they are made of paper, and circulate as money. And it may be proper enough for those who maintain that nothing should so circulate but gold and silver, to denigrate such bank notes "paper money," since they regard them but as paper intruders into channels which should flow only with gold and silver. If this language of the order is authentic, and is to be so hereafter, and all bank notes are to be regarded and stigmatized as mere "paper money," the sooner the country knows it the better.

The member from Missouri charges those who wish to rescind the treasury order with two objects—first, to degrade and disgrace the President, and next, to overthrow the constitutional currency of the country.

For my own part, sir, I denounce nobody; I seek to degrade or disgrace nobody. Holding the order illegal and unjust, I shall certainly vote to rescind it; and, in the discharge of this duty, I hope I am not expected to shrink back, lest I should do something which might call in question the wisdom of the Secretary, or even of the President. And I hope that so much of independence as may be manifested by free discussion and an honest vote, is not to cause denunciation from any quarter. If it should, let it come.

As to an attempt to overthrow the constitutional currency of the country, if I were now to enter into such a design, I should be beginning at rather a late day, to wage war against the efforts of my whole political life. From my very first concern with public affairs, I have looked at the public currency as a matter of the highest interest, and hope I have given sufficient proofs of a disposition at all times to maintain it sound and secure, against all attacks and all dangers. When I first entered the other house of Congress, the currency was exceedingly deranged. Most of the banks had stopped payment, and the circulating medium had then become, indeed, paper money. So soon as a state of peace enabled us, I took some part in an effort, with others, to restore the currency to a better state; and success followed that effort.

But what is meant by the "constitutional currency," about which so much is said? What species, or forms of currency, does the Constitution allow, and what does it forbid? It is plain enough that this depends on what we understand by currency. Currency, in a large, and perhaps in a just sense, includes not only gold and silver and bank notes, but bills of exchange also. It may include all that adjusts exchanges, and settles balances, in the operations of trade and business. But if we understand by currency the legal money of the country, that which constitutes a lawful tender for debts, and is the statute measure of value, then, undoubtedly, nothing is included but gold and silver. Most unquestionably there is no legal tender, and there can be no legal tender, in this country, under the authority of this government or any other, but gold and silver, either the coinage of our own mints, or foreign coins, at rates regulated by Congress. This is a constitutional principle, perfectly plain, and of the very highest importance.—The States are expressly prohibited from making any thing but gold and silver a tender in payment of debts; and, although no such express prohibition is applied to Congress, yet, as Congress has no power granted to it, in this respect, but to coin money, and to regulate the value of foreign coins, it clearly has no power to substitute paper, or any thing else, for coin, as a tender in payment of debts, and in discharge of contracts. Congress has exercised this power, fully, in both its branches. It has coined money, and still coins it; it has regulated the value of foreign coins, and still regulates their value. The legal tender, therefore, the constitutional standard of value, is established, and cannot be overthrown. To overthrow it, would shake the whole system.

But if the constitution knows only gold and silver as a legal tender, does it follow that the constitution cannot tolerate the voluntary circulation of bank notes, convertible into gold and silver at the will of the holder, as part of the actual money of the country? Is a man not only to be entitled to demand gold and silver for every debt, but is he, or should he, be obliged to demand it in all cases? Is it, or should government make it, unlawful to receive pay in any thing else? Such a notion is too absurd to be seriously treated. The constitutional tender is the thing to be preserved, sacredly, under all circumstances. The rest remains for judicious legislation by those who have competent authority.

I have already said that Congress has never supposed itself authorized to make any thing but coin a tender, to the payment of debts, between individuals and individuals; but a by no means follows from this, that it may not authorize the receipt of any thing but coin in payment of debts due to the U. States.

These powers are distinct, and flow from different sources. The power of coinage is a general power; a portion of sovereignty, taken from the States and conferred on Congress, for the sake both of uniformity and of greater security. It is to be exercised for the benefit of all the people, by establishing a legal tender and standard of value in all transactions.

But when Congress lays duties and taxes, or disposes of the public lands, it may direct payment to be made in whatever medium it pleases. The authority to lay taxes includes the power deciding how they shall be paid; and the power granted by the constitution to dispose of the territory belonging to the United States, carries with it, of course, the power of fixing not only the price, and the conditions, and time of payment, but also the medium of payment. Both in respect to duties and taxes, and payments for lands, it has been, accordingly, the constant practice of Congress in its discretion, to provide for the receipt of sundry things, besides gold and silver. As early as 1797, the public stocks of Government were made receivable for lands sold, the six per cents. at par, and other descriptions of stock in proportion. This policy had, probably, a double purpose in view—the one to sustain the price of the public stocks, and the other to hasten the sale and settlement of the lands. Other statutes have given the like receivable character to Mississippi stock, and to Virginia land scrip. So treasury notes were made receivable for duties and taxes; and, indeed, if any such should now be found outstanding, I believe they

constitute a lawful mode of payment, at the present moment, whether for duties and taxes, or for lands.

But, in regard both to taxes and payments for lands, Congress has not left the subject without complete legal regulation. It has exercised its full power. The statutes have declared what should be received, from debtors and from purchasers, and have left no ground whatever for the interference of Executive discretion, or Executive control. So far as I know, there has been no period when this subject was not subject to express legal provision. When the duty act and the storage act were passed, at the first session of the first Congress, an act was passed also, at the same session, containing a section which prescribed the coins, and fixed their values, in which those duties were to be paid. From that time to this, the medium for the payment of public debts and dues has been a matter of fixed legal right, and not a matter of discretion at all. The Secretary of the Treasury has had no more power over these laws than over other laws. He can no more change the legal mode of paying the duty than he can change the amount of duty to be paid; or alter the legal means of paying for lands, with any more propriety than he can alter the price of the lands themselves. It would be strange, indeed, if this were not so. It would be ridiculous to say that we lived under a government of laws, if an Executive officer may say in what currency, or medium, a man shall pay his taxes and debts to Government, and may make one rule for one man, and another rule for another man. We might as well admit that the Secretary had authority to remit or give in the debt of one, while he enforced payment on the others.

I desire sir, even at the expense of some repetition, to fix the attention of the Senate to this proposition, that Congress, having by the constitutional authority to dispose of the public territory, has passed laws for the complete exercise of that power; laws which not only have fixed the price of the public lands, the manner of sales, and the time of payment, but which have fixed also, with equal precision, the medium, or kinds of money, or of other things, which shall be received in payment. It has neglected no part of this important trust; it has delegated no part of it; has left no ground, not an inch, for executive interposition.

The only question, therefore, is, what is the law or what was the law, when the Secretary issued this order.

The Secretary considers that that which has been uniformly done for twenty years, that is to say, the receiving of payment for the public lands in the bills of specie paying banks, is against law. He calls it an "indulgence," and this "indulgence" the order proposes to continue for a limited time, in favor of a particular class of purchasers. If this were an indulgence, and against law, one might well ask, how has it happened that it has continued so long, especially through recent years, marked by such a spirit of thorough and searching reform? It might be asked, too, if this be illegal, and an indulgence only, why continue it longer, and especially why continue as to come, and refuse to continue it as to others.

But, sir, it is time to turn to the statute, and to see what the legal provision is. On the 30th of April, 1836, a resolution passed both houses of Congress. It was in the common form of a joint resolution, and was approved by the President; and no one doubts, I suppose, that for the purpose intended by it, it was as authentic and valid as a law in any other form. It provides, that "from and after the 20th day of February next [1837] no duties, taxes, debts, or sums of money, accruing or becoming payable to the United States, ought to be collected or received otherwise than in the legal currency of the United States, or Treasury notes, or notes of the bank of the United States, or in notes of banks, which are payable in specie on demand in the said legal currency of the U. States."

This joint resolution authoritatively fixed the rights of parties paying, and the duties of officers receiving. So far as respects the notes of the U. States, it was altered by a law of the last session; but, in all other particulars, it is, as I suppose in full force at the present moment; and as it expressly authorizes the receipt of such bank notes as are payable and paid on demand, I cannot understand how the receipt of such notes is a matter of "indulgence." We may as well say that to be allowed to pay in Treasury notes, or in foreign coins, or, indeed, in our own gold and silver, is an indulgence, since the act places all on the same ground.

The honorable member from Missouri has, indeed himself furnished a complete answer to the Secretary's idea; that is to say, he defends the order on grounds not only differing from, but totally inconsistent with, those assumed by the Secretary. He does not consider the receipt of bank notes hitherto, or up to the time of issuing the order, as an indulgence, but as a lawful right while it lasted. How he proves this right to be now terminated, and terminated by force of the order, I shall consider presently. I only say now, that his argument entirely deprives the Secretary of the only ground assigned by him for the Treasury order.

The Secretary directs the receivers "to receive in payment of the public lands nothing except what is directed by the existing laws, viz: gold and silver, and in the proper cases, Virginia land scrip." Gold and silver, then, and, in the proper cases, Virginia land scrip, are, in the opinion of the Secretary, all that is directed to be received by the existing laws. The receipt of bank notes, he considers therefore, but an indulgence, a thing against law, to be tolerated a little longer, as to some cases, and then to be finally suppressed.

Apparently not at all satisfied with this view of the Secretary, of the ground upon which his own order must stand, the member from Missouri not only abandons it altogether, but sets up another, wholly inconsistent with it. He admits the legality of payment in such bank notes up to the date of the order itself, but insists that the Secretary of the Treasury had a right of selection, and a right of rejection also; and that, although the various modes of payment provided by the resolution of 1816 were all good and lawful, till the Secretary should make some of them otherwise, yet that, by virtue of his power of selection or rejection, he might at any time strike one or more of them out of the list. And this power of selection or rejection